IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY APPLICATION NO.1184 OF 2006
IN
COMPANY PETITION NO. 498 OF 1993

B.I.F.R. ... Petitioner.

V/s.

Official Liquidator for Trimurti Malleable Pvt.Ltd. ... Respondents.

And

SICOM Limited. ... Applicant.

....

Mr. Prakash Panjabi for the Applicant.
Mrs. K.V. Gautam, Dy. O.L.

....

CORAM : DR. D.Y.CHANDRACHUD,J.

13th April 2007.

P.C. :

. Despite an order dated 17th February 2006 passed by Mr. Justice S.J. Vazifdar, the dues of the workmen have not yet been adjudicated, though the Official Liquidator has stated that this would be completed within 12 weeks. In the reply, the Liquidator has furnished details of several letters written to the Jalna Labour Union which has filed a claim of Rs.3.50 crores for 112 workers. The Union has not furnished addresses of the individual workmen, salary slips and appointment letters of

the individual workman. The Advocate for the Union had requested the Liquidator by his letter dated 8th November 2006 to carry out the adjudication on the basis of the wage Register and adult worker Register. That process is not completed. The Official Liquidator is now directed to positively ensure that adjudication of the claims of the workers is completed within a period of 8 weeks from today. The Official Liquidator has also stated that the claim of Industrial Investment Bank of India will be taken up for investigation. The process should be completed within the aforesaid period of 8 weeks. The Syndicate Bank which is also a secured creditor has also moved the Debt Recovery Tribunal in Original Application No.171 A of 2001 which is pending at Aurangabad. Hence, it would not be possible to arrive at a distribution of the dues of the secured creditors at this stage. At present, the sale proceeds are lying with the Applicant, SICOM Ltd. No further directions are necessary at this stage save and except for the directions to the Liquidator to take further steps as stated above. The Company Application is disposed of.